

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

HB0009	First Reading	5
HB0027	Recalled	56
HB0027	Third Reading	60
HB0350	Recalled	60
HB0350	Third Reading	65
HB0398	Recalled	67
HB0398	Third Reading	71
HB1535	First Reading	5
HB1632	First Reading	5
HB1919	Deadline Extension	5
HB1919	Motion	8
HB1968	Deadline Extension	5
HB1968	Motion	12
HB2062	First Reading	5
HB2133	First Reading	72
HB2222	First Reading	5
HB2394	First Reading	5
HB2930	First Reading	5
HB3121	First Reading	5
HB3602	First Reading	5
HB3621	First Reading	72
HB3767	First Reading	5
SB0276	Deadline Extension	5
SB0945	Recalled	37
SB0945	Third Reading	41
SB1138	Out Of Record	55
SB1138	Recalled	55
SB1267	Recalled	50
SB1267	Third Reading	52
SB1353	Deadline Extension	5
SB1353	Second Reading	55
SB1719	Deadline Extension	5
SB1719	Second Reading	56
SB1856	Recalled	6
SB1856	Third Reading	31
SB1866	Recalled	20
SB1866	Third Reading	28
SB1978	Deadline Extension	5
SB1978	Second Reading	56
SR0208	Motion	15
SR0209	Motion	15
SR0210	Motion	15
SR0218	Motion	15
SR0226	Resolution Offered	1
SR0227	Resolution Offered	1
SR0228	Resolution Offered	1
SJR0038	Motion	15
SJR0040	Motion	15
SJR0047	Motion	15
SJR0048	Motion	15
Senate to Order-President Jones		1
Prayer-The Reverend Daniel Krumrei		1
Pledge of Allegiance		1
Journal-Approved		1
Committee Reports		1
Messages from the President		5
Senate Stands at Ease/Reconvenes		8
Committee Reports		8

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Senate Stands in Recess/Reconvenes	19
Messages from the House	19
Adjournment	73

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDENT JONES:

The regular Session of the 94th General Assembly will please come to order. Will our Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Right -- Reverend Daniel Krumrei, Parkway Christian Church, Springfield, Illinois.

THE REVEREND DANIEL KRUMREI:

(Prayer by the Reverend Daniel Krumrei)

PRESIDENT JONES:

Please remain standing for the Pledge of Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Monday, May 23rd, 2005.

PRESIDENT JONES:

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT JONES:

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 226, offered by Senator Dillard and all Members.

Also, Senate Resolutions 227 and 228, offered by Senator Dillard and all Members.

They're all death resolutions, Mr. President.

PRESIDENT JONES:

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Amendment No. 4 to House Bill 27, Senate Amendment No. 3 to House Bill 2500, and Senate Amendment

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

No. 1 to House Bill 3800, all recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on State Government, reports Senate Amendment No. 1 to Senate Resolution 60 and a Motion to Concur with House Amendments -- 1 to Senate Bill 635 and House Amendment 1 to Senate Bill 780, all recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports Motion to Concur with House Amendment No. 2 to Senate Bill 79 and House Amendment 1 to Senate Bill 309, all recommended Do Adopt.

Senator Lightford, Chairperson of the Committee on Education, reports Senate Amendment No. 4 to Senate Bill 1856 Be Adopted; and the Motions to Concur with House Amendment 1 to Senate Bill 223, House Amendment 1 to -- to Senate Bill 383, House Amendment 1 to Senate Bill 768, and House Amendment 1 to Senate Bill 1931, all recommended Do Adopt.

Senator Munoz, Chairperson of the Committee on Transportation, reports the Motion to Concur with House Amendment 1 to Senate Bill 54, House Amendments 1 and 2 to Senate Bill 66, House Amendment 1 to Senate Bill 127, House Amendment 1 to Senate Bill 210, and House Amendment 1 to Senate Bill -- 1119, all recommended Do Adopt.

Senator Meeks, Chairperson of the Committee on Housing and Community Affairs, reports a Motion to Concur with House Amendment 1 to Senate Bill 101 and House Amendment 1 to Senate Bill 966, all recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Bills 1719 and 1978 Do Pass; and Senate Bill 1353 Do Pass, as Amended; Senate Amendment No. 5 to House Bill 325, Senate Amendment 1 to Senate Bill 945, and Motions to Concur with House Amendments 1 and 2 to Senate Bill -- 46, pardon me, and House Bill {sic} 1 to Senate Bill 478, all recommended Do Adopt.

Senator -- Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, reports Senate Amendment No. 6 to House Bill 350, Senate Amendment 2 to House Bill 1469, Senate Amendment 2 to House Bill 1588, Senate Amendment 2 to House Bill 3874, Senate Amendment 3 to House Bill 4030, and Motions to Concur with House Amendments -- 1 to Senate Bill 53, House

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Amendment 1 to Senate Bill 57, House Amendment 1 to Senate Bill 241, House Amendment 1 to Senate Bill 468, House Amendment 1 to Senate Bill 511, and House Amendment 1 to Senate Bill 1230, all recommended Do Adopt.

Senator Forby, Chairperson of the Committee on Labor, reports Motion to Concur with -- I'm sorry. Senator Forby, Chairperson of the Committee on Labor, reports Senate Amendment No. 1 to Senate Bill 1267 and Motions to Concur with House Amendment 1 to Senate Bill 143 and House Amendment 1 to Senate Bill 411, all Be Adopted.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, reports Senate Amendment No. 2 to House Bill 930, Motion to Concur with House Amendments 1 and 2 to Senate Bill 139, all recommended Do Adopt.

Senator Ronen, Chairperson of the Committee on Health and Human Services, reports Senate Amendment 1 to House Bill 398, Senate Amendment 5 to House Bill 511, Senate Amendment 1 to House Bill 788, Senate Amendments 5 and 6 to House Bill 2531, Motions to -- Concur with House Amendment 1 to Senate Bill 159, House Amendment 1 to Senate Bill 232, House Amendment 1 to Senate Bill 1698, House Amendment 1 to Senate Bill 2091, all Be Adopted.

Senator Sandoval, Chairperson of the Committee on Commerce and Economic Development, reports Senate Amendment 2 to Senate Bill 1866, recommended Do Adopt.

Senator Maloney, Chairperson of the Committee on Higher Education, reports Motion to Concur with House Amendment No. 1 to Senate Bill 463, recommended Do Adopt.

PRESIDENT JONES:

Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

A point of information, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR GEO-KARIS:

As you know, Memorial Day is approaching and we have a custom here that we have some time to memorialize Memorial Day. And I would like to ask your suggestion. If we're going to be here Thursday, we can take about forty minutes Thursday to do it. Is that approved by you?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDENT JONES:

Senator, we've always appreciated your leadership as relate to Memorial Day. We'll look forward to doing that Thursday. Senator Geo-Karis.

SENATOR GEO-KARIS:

I think there are more veterans here in this Session, and I would appreciate it if all the veterans would see me so that I can prepare the Memorial Day ceremonies.

PRESIDENT JONES:

All Members who are veterans, you heard the remarks from Senator Geo-Karis. Will you kindly see her so she can begin to prepare the services on -- for Thursday. So, kindly see Senator Geo-Karis. Senator Sullivan, what purpose do you rise?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDENT JONES:

State your point, Senator.

SENATOR J. SULLIVAN:

I have a young lady who's with me today. She's a Page for a Day. She's from Beardstown, Illinois. She's going to be spending the day here in Springfield. I'd like you to welcome her. Her name is Amanda DeSollar.

PRESIDENT JONES:

Will our guest please rise and be welcomed by the Senate? Senator Hunter, what purpose you rise?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR HUNTER:

We -- I have with me today some guests from Chicago, Illinois - actually, it's my elementary school that I attended - Beethoven Elementary. Will you please stand and -- and welcome my school -- my elementary school to the Senate, please?

PRESIDENT JONES:

Will our guests from Beethoven Elementary School in Chicago rise and be welcomed by the Senate? Will the Members in their offices kindly come to the Floor? We will be going to the Order of House Bills 3rd Reading. Kindly come to the Floor, because

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

this will be final action. Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated May 24, 2005.

Dear Madam Secretary - Pursuant to Senate Rule 2-10, I hereby establish December 31, 2005, as the 3rd Reading deadline for Senate Bills 276, 1353, 1719 and 1978.

Sincerely, Emil Jones, Jr., Senate President.

Another letter from the President, dated May 23rd, 2005.

Dear Madam Secretary - Pursuant to Senate Rule 2-10, I hereby establish May 31, 2005, as committee deadline and December 31, 2005, as the 3rd Reading deadline for House Bill 1919.

Sincerely, Emil Jones, Jr., Senate President.

I have a like letter with -- from the President with respect to House Bill 1968, also extending the committee and the 3rd Reading deadlines.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 9, offered by Senator Ronen.

(Secretary reads title of bill)

House Bill 1535, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1632, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2062, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 2222, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2394, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 2930, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 3121, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 3602, offered by Senators Althoff and Lauzen.

(Secretary reads title of bill)

House Bill 3767, offered by Senator Clayborne.

(Secretary reads title of bill)

1st Reading of the bills.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDENT JONES:

Members, for your information, we'll be going to House Bills 3rd Reading. There's a correction. We'll be going to Senate Bills 3rd Reading on the Calendar on page 13. Senate Bills 3rd Reading on the Calendar, page 13. Senate Bill 1856. Senator Lightford. Madam Secretary, read the bill. Senator Lightford -- seeks leave of the Body to return Senate Bill 1856 to the Order of 2nd Reading for the purpose of a -- an amendment. There being no objections, so ordered. Leave is granted. On the Order of 2nd Reading is Senate Bill -- 1856. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Lightford.

PRESIDENT JONES:

Senator Lightford, explain the amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 determines the ratio of amounts contributed per check-off fund to the total amounts collected for a check-off fund in that particular year. This was legislation to help notify the Comptroller's Office and the Treasurer's Office.

PRESIDENT JONES:

Senator Lightford moves for the adoption of -- of Amendment No. 2 to Senate Bill 1856. All in favor, signify by saying Aye. No Nays. The Ayes have it. The amendment is adopted. Madam Secretary, are there any other amendments?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Lightford.

PRESIDENT JONES:

Senator Lightford, explain the amendment.

SENATOR LIGHTFORD:

Floor Amendment No. 3 restores the Giant Steps program. Actually, Floor Amendment No. 2, for a little more clarity just to explain No. 3, is clean-up language from the State Board of Education to subtract some of the waste that is in the administration, and they accidentally deleted the Giant Steps program. Floor Amendment No. 3 restores that program.

PRESIDENT JONES:

Are there any questions? Any questions? Senator Burzynski.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

SENATOR BURZYNSKI:

Thank you, Mr. President. I'm not rising on the bill. I was rising to ask for a caucus.

PRESIDENT JONES:

Well, this -- this is -- we are discussing the amendment. There being no further discussion, all in favor -- of the amendment, signify by saying Aye. Nays. No Nays. The Ayes have it. The amendment is adopted. Madam Secretary, are there any other amendments?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Lightford.

PRESIDENT JONES:

Senator Lightford, explain Amendment No. 4.

SENATOR LIGHTFORD:

This is another amendment that ISBE and the School Management Alliance came up together to restore tort immunity back into the School Code.

PRESIDENT JONES:

Is there any discussion? Any -- any discussion? Seeing no -- no discussion, Senator Lightford moves for the adoption of Amendment No. 4. All those in favor, signify by saying Aye. Nays. The Ayes have it. The amendment is adopted. Madam Secretary, are there any other amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDENT JONES:

3rd Reading. Now on the Order of 3rd Reading is -- is Senate Bill 1856. Madam Secretary, read the bill. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr....

PRESIDENT JONES:

What...

SENATOR BURZYNSKI:

Thank you, Mr. President. Before we go to 3rd Readings, I'd request a Republican roll call -- or, a Republican Caucus. And I'll have a roll call when I go to caucus. But, a Republican Caucus immediately, please.

PRESIDENT JONES:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

The call for a caucus is always in order. But prior to going to the caucus, I believe we will have a Rules Committee. Will the Members of the Rules Committee kindly convene in the Antechamber? All Members of the Rules Committee.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDENT JONES:

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - House Bills 1919 and 1968; refer to State Government Committee - Senate Resolutions 208, 209, 210, 218, Senate Joint Resolution 38, 40, 47 and 48.

PRESIDENT JONES:

Senator Trotter, what purpose you rise?

SENATOR TROTTER:

A point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR TROTTER:

Thank you very much. Members -- Mr. President, Members of the Senate, I would like for you to join with me today in welcoming down members from IARF who are celebrating their thirtieth anniversary. For those who do not know, that they're an organization that deals with -- individuals with disabilities who have been receiving quality and community-based services for over fifty years. Many of these community agencies were formed in the 1950s by the parents of children with disabilities, and they're now down celebrating their thirtieth anniversary. So, would you please join with me in welcoming the members from IARF?

PRESIDENT JONES:

Will our guests in the gallery please rise and be welcomed by the Senate? Senator -- Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Mr. President, Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that House Bill 1919 can -- can

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

be heard in Senate Executive Committee today at 3 p.m.

PRESIDENT JONES:

Senator Jacobs moves to waive the posting requirements so that Senate (sic) Bill 1919 can be heard in the Senate Committee on -- on the Executive. He waives the posting requirements so that Senate {sic} Bill - what number is that? - 19 {sic} can be heard in the Senate Executive Committee today. All in favor, say Aye. Opposed, Nay. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Will Senator Jacobs yield for a question as the maker of the motion?

PRESIDENT JONES:

He indicate he will.

SENATOR ROSKAM:

Senator Jacobs, can you tell us what the motion's all about and what your intentions are with the bill, why the motion's necessary and the subject matter of the bill?

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

Yes, sir. The -- the -- the bill is simply a cleanup on a bill that we passed here twice in 2002-2003, and, also, it's a economic development issue of ninety million dollars to the community in northwest Illinois. It revolves around the Casino Rock Island and their ability to move within the same community to a different location to better serve customers and to provide overnight trips to my district, rather than turning it into a simple grind operation.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Senator Jacobs, we still have plenty of time left in this General Assembly. You can post this bill and move it out appropriately well within the deadlines. Why -- why are we doing this?

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

We're doing this because this is a ninety-million-dollar

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

economic development project that is the largest economic development project in northwestern Illinois' history. And I've always felt that it was our job in the Legislature to help private economic development move forward, and therefore I'm asking for your ability to bring this to committee, to have it be heard. And, you know, the -- the project is in peril unless we move. I mean, I'm just going to be straight with you. The project's in peril unless we move.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

Senator, we've got six more days left in this General Assembly Session for sure. You know, the fact that it's a ninety-million-dollar project, we deal with -- with massive projects all the time. In fact, the fact that it's a ninety-million-dollar project would suggest that it should be subject to the normal posting requirements of the Senate rules, the normal hearing process of the Senate rules, so that proponents and opponents can weigh in on it. You know, simply the -- simply saying that it's a large project and therefore we need to blow right through all the speed bumps and the safety signs and all the sort of procedural things that we have in place I don't think is a satisfactory answer. I mean, you're being a good advocate for your district, but we need to advocate within the rules unless there's some extraordinary situation. You have not articulated an extraordinary reason why this is an emergency. Mr. President, I would ask for a roll call vote on the motion.

PRESIDENT JONES:

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. I rise in support of the gentleman's motion. All due respect to my colleague who's concerned about the speed at which we're moving on this motion, this issue isn't anything new. The previous Senator from Rock Island and I, on two previous occasions, have sponsored essentially this same legislation to add clarifying language that the Gaming Board has the authority to authorize this relocation of the Casino Rock Island to this second site. The process has gone along well. Everybody's aware of it. I don't think there's

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

any opposition at this point in the process. But there's been a road bump, I guess, introduced in the process, questioning whether or not the Gaming Board has this authority. So, the sponsor is very correct, and -- and Senator Jacobs is very correct that this is one -- this is the third attempt to pass the clarifying language that'll stand the test that clearly authorizes the Gaming Board to approve the relocation of the Casino Rock Island. I don't think it's controversial. I don't think there's anything new that we need to hear from any other parties, the stakeholders in this process. The plans and procedure have all been handled by the county and the appropriate authority has been given. We just need to clarify the authority, and for those reasons, I support the -- gentleman's motion and ask for an Aye vote.

PRESIDENT JONES:

The question is, shall the rules be suspended so that Senate Bill -- House Bill 1919 can be heard in the Senate Executive Committee. There has been a request for a roll call. All those in favor, signify by voting Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 36 voting Aye, 18 Nays, no one voting Present, and -- and the motion is adopted. The Chair recognizes Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It is my honor to welcome to the Illinois Senate, along with the folks that are here with Senator Trotter's -- I think it's ARF. We also have people from Cornerstone Services, from Joliet: Jim Hogan, Ben Stortz, Judy Rakar, Susan Murphy and Kristi Reed. These men and women work with folks with disabilities in the Joliet region. They do an outstanding job, and it is my -- pleasure and privilege to welcome them to the Illinois Senate. Please welcome them.

PRESIDENT JONES:

Will our guests rise and be welcomed by the Illinois Senate? Senator Link, what purpose you rise?

SENATOR LINK:

Thank you, Mr. President. I -- Mr. President, Ladies and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Gentlemen of the Senate, I move to waive all posting requirements that -- so that House Bill 1968 can be heard by the Senate Committee on Executive today at 3 p.m.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I request a Republican Caucus immediately.

PRESIDENT JONES:

Has there been a change? I thought you wanted a -- you informed me earlier that you wanted a Republican Caucus prior to going to 3rd Reading. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. As most people can do, I've changed my mind. We'd like one immediately. Thank you.

PRESIDENT JONES:

It's up to the Chair to decide whether or not you can change your mind. But being such a good fellow I am, I'll act -- I'll act as my predecessor and will not give you that change of mind. But being that you are a good Democrat, you are granted a -- a -- a caucus meeting and the caucus meeting will last for fifteen minutes? Thirty minutes. But prior to going, we must finish this motion. We were in the middle of a motion, Senator. We were in the middle of the motion. Senator Link moves to waive all posting requirements so that Senate -- House Bill 1968 can be heard in the Senate Executive Committee today. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Will Senator Link, as the movant, yield for a question?

PRESIDENT JONES:

He indicate he will.

SENATOR ROSKAM:

Senator Link, can you tell us the nature of the bill and why it's an emergency and that -- why you're arguing that the rules need to be suspended?

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

Because of the fact that the six-day posting period, and then the -- once we send it over to the House, the three days of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

the reading over there would take us past the 31st of the month. That's the reason that we're asking for the waiving of the posting. And when the bill is put into effect, it is a -- a shell right now with the amendment of an election reform bill.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

So, it's an emergency shell bill, or what's in the -- what -  
- what -- I've seen it all. What's -- what's in the -- what's in  
the amendment that's an emergency, Senator?

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

It's -- it's because of the requirement of -- of the posting  
of the six days and the three days. The amendment will be done,  
hopefully, today and that we were trying to move this so that we  
can have all the requirements done at the proper time and that we  
have this so that we all can get out of here and enjoy our  
families for the Memorial Day weekend, like I know you would like  
to do. So, we're just trying to get this done in time for you,  
Senator Roskam.

PRESIDENT JONES:

Senator Roskam, for the last time.

SENATOR ROSKAM:

Thank you, Mr. President. Senator Link, I -- I understand  
your procedural argument. I obviously disagree with it. But  
what is in the amendment itself? What's the subject matter of  
the amendment? We know it's an electoral change of some kind,  
but could you tell us what's actually in the amendment that has  
to go on the emergency shell bill? What's in the amendment? And  
then, Mr. President, I'm anticipating Senator Link's response,  
and I would request a -- a -- a recorded vote on the motion. But  
if Senator Link could answer the question, I'd be grateful.

PRESIDENT JONES:

He indicate he will answer the question, but I see most of  
your Members are not here. So, Senator Link.

SENATOR LINK:

As I indicated, it's due to election reforms. I can't,  
obviously, explain the whole amendment because we don't have the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

amendment finished, so it'd be hard -- it's kind of hard to explain a finished product when it's not finished. But it's pertaining to election reforms that will be done. At that time when we get the amendment done, we will be having an ample amount of time, as you, as the Minority Spokesman in Executive, will be in hearing it firsthand at that time with the amendment.

PRESIDENT JONES:

Okay. Senator Link moved for the -- to suspend the rules so that the House Bill 1998 can be heard -- 1968 can be heard in the Senate Executive Committee. On that -- on that question, there had been a request for a roll call. All those -- all those in favor of the Senator's motion, signify by voting Aye. Those opposed, vote Nay. The question -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take -- take the record. On that question, there are 31 voting Aye, 24 voting Nay, no one voting Present, and the motion is adopted. Senator Watson. Senator Frank Watson.

SENATOR WATSON:

Yes. Thank you. Inadvertently, my light was put on. I'm sorry.

PRESIDENT JONES:

Senator Bomke, what purpose you rise?

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR BOMKE:

We have with us on the Democrat side behind the President Troop 54 up in the gallery. They are -- their troop leader is Steve Territo. They were honored with raising the flag at the dedication of the ceremony of the -- Abraham Lincoln Museum/Library. Would you please help me welcome them here in the Chamber today?

PRESIDENT JONES:

Will our guests in the gallery on the -- on the good side please stand and be recognized? Senator Garrett, what purpose you rise?

SENATOR GARRETT:



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

For purpose of announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR GARRETT:

I move to waive all posting requirements so that -- oh, just stop! So -- now wait. Don't be rude. Let me finish my sentence. Just let me finish.

PRESIDENT JONES:

Proceed, Senator.

SENATOR GARRETT:

Thank you. Thank you. Thank you, Mr. President. So that Senate Resolutions -- so that Senate Resolutions 208, 209, 210, 218, and Senate Joint Resolutions 38, 40, 47 and 48 can be heard in the Senate Committee on State Government today at 3 p.m.

PRESIDENT JONES:

Senator Garrett moves to waive all posting requirements so that the resolutions as presented by the Senator can be heard in the Senate State Government Committee today. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Point of order.

PRESIDENT JONES:

State your point.

SENATOR ROSKAM:

Mr. President, earlier when Senator Burzynski made his caucus request, you -- you said that that -- that is always in order. And it's -- it's my request that -- I -- I think that this process can move a lot more slowly -- I mean, a lot more smoothly if we can -- if the -- if the Senate can be at ease for our caucus and then we'll come back and take up these motions and we'll -- we'll do our duty, as we should, on our roll call votes and questioning the Senators. But my suggestion is that why don't we just, with your permission, go off to do our caucus and then come back, take these motions up and go right into 3rd Readings.

PRESIDENT JONES:

That's a very, very wise statement that you just made. So, at the conclusion of this, then we'll go -- you'll be permitted to go to caucus. Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Thank you, Mr. President. Will the -- the -- will the sponsor and the movant yield for a question?

PRESIDENT JONES:

She indicates she will.

SENATOR ROSKAM:

Senator Garrett, you've heard these inquiries of others. Can you tell us what is -- what -- what's the nature of the -- the bill and why it's an emergency and why, when we're not doing things like medical malpractice reform and why we're so far off on the budget and nothing really -- real progress is being made, why this gets moved to the top of the...

PRESIDENT JONES:

Will the -- will the -- will Senator Roskam please stick to the question at hand and not get into subject matters that's not even a -- a issue at this particular point in time? Senator Garrett, you can respond.

SENATOR GARRETT:

As you know, Senator, I'm for open government and we want to make sure that these resolutions, not bills, are being heard in the State Government Committee today so there's more of a due process. But I also want to note that one of those resolutions is coming from your side of the aisle, and that's to make sure that the James "Pate" Philip is named as a State Park. So, that's something that probably would interest you as well.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Well, just in response to Senator Garrett, I find it ironic that the -- the advocate of open government wants to close government by moving a bill through very, very quickly. And just -- you know, our point today is -- is -- this is not about partisanship, but this is about really working within a rules system that means something, and when rules are -- are suspended, sort of arbitrarily, it -- it makes the system a lot less predictable. I don't think it serves the public as -- as -- as well as we should. So, Mr. President, I would request a roll call on this, and should it pass, I would request a verification.

PRESIDENT JONES:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. And you and I had this conversation about Senator Philip's resolution. This is a former President of this Body and served with distinction for many years, and to throw his name and this resolution into the environment in which we're in now is -- is unfortunate. And you and I had this conversation last week about moving this resolution, and you could have and I thought you were. I thought your word was good and I felt that you -- and still feel that it is, and you need to honor that, is to make sure that that resolution moved forward. And that was last week, and that six-day posting requirement could -- did not need to be waived if things would have happened like we thought they were last week. So, don't throw that issue at us. And what this - and -- and, unfortunately, this is more of the inability in which to run the business of the Senate, the lack of ability to run the business of the Senate. What is the six-day posting requirement all about? What is that? That's to allow the people of this State the opportunity to know the business of the Senate. That's what it's all about. We think sunshine should be brought to the process of which we operate here and the people of this State ought to have an opportunity to participate. That's -- that's what the six-day posting requirement is all about. That's why we have it. Once again, you just cavalierly decide you're going to change the rules on a day in which we -- we shouldn't be doing. We should not be going this, Mr. President, and I concur with Senator Roskam and certainly ask for a roll call and a verification.

PRESIDENT JONES:

Well, I won't comment to -- to the Minority Leader's remarks because we are for sunshine, as you are. Okay. Senator Garrett moves the posting requirements so that the Senate resolutions that she presented can be heard in State Government Committee today. All those in favor of the Senator's motion will signify by voting Aye. Opposed, Nays. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that motion, there are 31 voting Aye, 25 voting Nay, no one voting Present, and the motion is adopted.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Senator Watson has requested a verification. Will all Members please be in their seats? The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Sandoval, Shadid, Silverstein, John Sullivan, Trotter, Viverito, Wilhelmi, and Mr. President.

PRESIDENT JONES:

Does Senator Watson question the presence of any Member voting in the affirmative?

SENATOR WATSON:

Well, it looks that you're all here, but if you had allowed a caucus, one of the reasons for our caucus was to go back into our office and discuss this very motion you're going through. We could have easily discussed this and had the opportunity to maybe concur or agree with you on -- on this procedure, but the manner in which you've done it, Mr. President, once again - you denied Senator Burzynski's -- when he asked for a caucus, you denied him. His motion is always in order, and for you to do that, Senator, I think, once again, creates divisiveness between what we're -- what I think you ultimately want to do, and that's get the business of the Senate done. But it creates divisiveness when you do that.

PRESIDENT JONES:

Mr. Minority Leader, I do not intend to stand here and -- and receive a lecture from you. I discussed this with you this morning prior to coming into Session, and you informed me that you would more than likely be against the motions. So -- so -- so, don't say that the divisiveness takes place. I -- I resent you taking the opportunity to do such, and I -- I hate to -- hate to have to chastise you from the Podium, but -- but that did not happen. So, you and I had discussions on this issue. Now, there has been -- there has been a request for a Republican Caucus. On -- on a verified roll call, there are 31 voting Aye, 25 voting Nay, and the motion is adopted. There has been a request for a Republican Caucus, and Senator Burzynski called for a Republican

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Caucus for a half hour. The Senate will recess until the hour of 1 p.m. and will reconvene at the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. The Senate will come to order. We'll be going to 3rd Readings, final passage. All Members within the sound of my voice please report to the Senate Floor immediately. We'll be going to Senate Bills 3rd Reading, final passage. Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Mr. President, thank you. I just want to let you know, at your urging, the other Members of the Republican Caucus are on their way.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, sir.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 2062, 2133, 2222, 2930, 3121, 3602, 3767 and 4053.

Passed the House, May 23rd, 2005.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, for an announcement, ma'am.

SENATOR GARRETT:

Thank you once again, Mr. President. This is an announcement to say that the State Government Committee will be meeting today at 3 o'clock in A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Madam Chairman. Senator Cullerton, for

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

what purpose do you rise, sir?

SENATOR CULLERTON:

Purposes of an announcement. The Senate Executive Committee will meet at 3 p.m. in Room 212 today.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading on your Calendar, on page 13 of your Calendar, in the middle of page 13 is Senate Bill 1866. Senator Halvorson seeks leave of the Body to return Senate Bill 1866 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, ma'am? Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1866. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson, to explain your amendment, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 to Senate Bill 1866 adds the definition of "transit oriented development" and grants authority for TIF monies to be used for costs that are transit oriented in development.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Roskam, for what purpose...

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR ROSKAM:

Senator Halvorson, can you tell us what the underlying bill does and -- and the reason for the amendment and how the amendment relates to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Certainly. Senator Roskam, what was happening is, we're trying to create some smart growth areas, and some towns, such as

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Bellwood, and the Northwest Mayors and Managers and Norm Sims and a few people have gotten together to say, "Let's add rail" - say, trains and bus - "into what TIF money could go to." And it -- it's a half-mile radius is all and they have to go through everything that any other TIF money does. But, basically, what it does is it makes us a little smarter in how we plan for our entire neighborhoods, and that's what this does. And then it also -- in order to qualify, you would have to meet two of the following three factors, which one is insufficient capacity to serve the uses in the redevelopment project area; or deteriorated, antiquated, obsolete, or in disrepair; or lacking within the redevelopment project area. So, there -- it's really tight as to what you even can qualify for and you have to fall under certain prerequisites.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Senator, the phrase "smart growth" is a term of art, and there's a lot of concern. Smart growth described a project in Portland, Oregon, that was actually very detrimental to economic development. Are you using that term in that context and -- I mean, in the context of those types of programs that are very limiting, or were you using that, you know, small "s", small "g"? Do you understand my question?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

I think the word smart growth was my analyzation of it. It doesn't specifically say that.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, ma'am.

SENATOR RADOGNO:

You -- you had made a reference to a half-mile radius. Is -- is that to imply that the expenditure of the TIF funds does not have to occur within the TIF district?

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

My understanding is the money -- if -- if you were using something with regards to -- for instance, if you have a town and you have a rail or bus, it can only be used for an -- if you find out where that spot is that you want to help, it can only be used for a half-mile radius from wherever it is that you need to use the TIF dollars with regards to rail and bus.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

I'm sorry. I'm still not clear though. Does the expenditure have to occur within the district? So, for example, if you were using it for, say, a bus shelter or a railroad station, does that thing have to be physically located within the TIF district, or does this allow funds to be spent outside the district?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you. Thank you, Senator, for clarifying that. It has to be within the TIF district. It doesn't expand it.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator John Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR J. JONES:

Senator Halvorson, this bill came out of committee this morning, Commerce and Economic Development. A couple of questions of you for the Members that do not serve on the -- on the -- on the committee. Who wants this? I mean, who came to you requesting this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Well, it started out with a few towns, like in the Bellwood



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

area, and now, as people have heard about it, it has -- the Municipal League, Springfield has shown an interest as of yesterday. A lot of people who currently have a TIF district but they want to then use some of the monies for transportation oriented.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

This -- you know, earlier this -- this legislation -- during the General Assembly, we passed a -- a center point legislation. Does this affect it in any way?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

The only way that it affects it is if there is light rail that would be needed in conjunction with that. It doesn't, in any way, affect it, except for the fact that if you needed car, light rail, bus to the facility.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

The other thing is, is several of the TIF districts have been expanded from twenty-three to thirty-five years. Would they have to go through the same process, the ones that's been extended to thirty-five years, as the twenty-three-year ones?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

From my understanding, it would go for whatever the current amount of time is for the TIF district at the time. I'm not -- by adding this, it doesn't change anything else about the TIF district.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. One more question. Would the existing TIF districts be required to go through the same public notices and hearing processes as -- as they do now?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Senator Halvorson.

SENATOR HALVORSON:

They -- yes, they would.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Sandoval, for what purpose you rise, sir?

SENATOR SANDOVAL:

Thank you, Mr. President. I'd like to speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SANDOVAL:

I believe this amendment passed out of the Senate Commerce and Economic Development Committee this morning, as my colleague, Senator Jones, indicated, unanimously. I think -- you know, this is a piece of smart legislation as relates to smart growth, and it certainly is going to help communities, not only in parts of Cook County, but in Metro East and central and southern Illinois. And it's about a new way of thinking on how -- on the use of TIF monies to improve the infrastructure, especially of their transportation needs in many communities in Illinois, and I ask your support on -- on the vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Any further discussion? Senator Righter, for what purpose you rise?

SENATOR RIGHTER:

Inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry.

SENATOR RIGHTER:

Is it -- is the Chair's intention to -- assuming the amendment is adopted, to immediately roll this bill to 3rd Reading and then call it for a 3rd Reading vote at that time?

PRESIDING OFFICER: (SENATOR DeLEO)

The Chair indicates that we will be adopting these amendments and going to 3rd Reading. That's correct, sir. Senator Righter.

SENATOR RIGHTER:

I -- I apologize, Mr. President. I don't think I was clear in my question. What I was asking about with regards to Senate

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Bill 1866 is whether or not on this particular piece of legislation you will be moving -- you will be calling it for a 3rd Reading roll call immediately after the amendment is adopted or are you going to set it aside and go through other recalls and then come back for 3rd Reading votes?

PRESIDING OFFICER: (SENATOR DeLEO)

We -- if the amendment is so successful in getting the proper roll call, we are going directly to 3rd Reading, sir. One more question. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I would request a roll call on the adoption of the amendment, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Senator Dave Sullivan, for what purpose do you rise, sir?

SENATOR D. SULLIVAN:

Thank -- thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR D. SULLIVAN:

Thank you. Senator, you're -- you're talking about transportation infrastructure, and, obviously, in my district, the O'Hare Airport is a big part of transportation infrastructure and, in your neck of the woods, you'd like Peotone to be part of the -- the infrastructure. Does this TIF legislation, would it have a benefit to a future Peotone Airport?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Only if it's currently a TIF district.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Is -- is the Peotone site, as it's been purchased, as we've seen some of the land tracts, is that in or near a current TIF or do you think any of the municipalities in that area will put that land into a TIF?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

SENATOR HALVORSON:

I don't think it will need to be TIFed, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Can -- can you explain for us why you don't think it'll need to be TIFed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Because it will be a wonderful economic engine for the area and it won't be considered blighted, and the towns will not have to give away anything.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

So -- so, it's your testimony here that you really don't think this has any effect on any transportation roads or rail leading into or out of Peotone.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

You know, I -- I can only speak for what it does now. I do not know down the road what they will do with that, and I can't say here that a local municipality will not make any area around there a TIF. So, down the road it could. I just don't see it as so now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question.

SENATOR BOMKE:

I'm still -- Senator Halvorson, I'm still not clear what we're trying to accomplish. I -- I thought that within a TIF district, you could use it for infrastructure for roads and things like that under current law. Does -- does -- does this allow for someone to purchase a bus or some other mode of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

transportation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Senator. What people are currently using their TIF dollars for, I can't speak to. All I can say is the law is not clear with regards to the development around rail, and we just want to make sure that they're able to use their TIF dollars for this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke.

SENATOR BOMKE:

For -- for rail or transportation - yeah, I mean are -- are -- are you suggesting that -- under this legislation -- I'm not sure we're clarifying it, but you're -- you're trying to clarify the -- the use of TIF for rail, for roads, for infrastructure, which I thought you currently could. But does that also mean a bus could be purchased?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

It is for development around the transportation district of the area. I'm not necessarily sure that you could purchase a bus with it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl, for what purpose do you rise, sir?

SENATOR DAHL:

Mr. President, to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me -- excuse me one second. Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

I move for the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dahl is the last person seeking recognition on this issue. Senator Dahl.

SENATOR DAHL:

To the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

To the amendment, sir.

SENATOR DAHL:

Mr. President, this -- this is a -- this is a good amendment. This -- this will be beneficial to not only the Chicago area and -- and East St. Louis area, but also to central Illinois. I can see just in the presentation of this bill in committee this morning, this is a bill that my mind is already turning. I think we've got some -- some good potential. I encourage a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Halvorson, to close on the amendment, ma'am.

SENATOR HALVORSON:

I just hope that everybody accepts it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. There's been a request for a -- a roll call. So, the question is, shall Floor Amendment No. 2 be adopted to Senate Bill 1866. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 2 Nays, 0 voting Present. The amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the 3rd -- Order of 3rd Reading comes Senate Bill 1866. Senator Halvorson, you -- do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1866.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Not much has changed in the last ten seconds, but if you have any other questions, I'll be happy to answer 'em.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question.

SENATOR ROSKAM:

Senator -- Senator Halvorson, how will this bill interact with the intermodal transportation bill that's out there that we considered a couple weeks ago?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Senator Roskam, since you didn't hear the last question, the person had asked that, the way it interacts with it is if you need bus or train to get to an intermodal and it's within the half-mile radius. It works with it, not against it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Have you had any contact, Senator, with the various taxing districts that -- that would be impacted by this, for example, the schools, the community colleges and so forth?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

I haven't personally, but they're all, basically, in favor of it, because if they have already -- they're only dealing with the money they have. This isn't extra. It's just adding a few words to who, currently, can -- or what they can currently use TIF district monies for. So it's not extra; it's just another adding a couple words of -- putting it into law as to how they can use the money.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Well, just on a more personal note, Senator: Sunday I was driving in Wilmington, Illinois, on my way to a -- a wake of --

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

of a family friend who passed away, and I stopped and got some gasoline, and in I went to one of those happy marts or something and got the gasoline and was asking for directions, and lo and behold, I saw the Sunday Joliet paper. And I don't think I've ever seen a bigger color photograph of any Member of the General Assembly. It was big enough to wallpaper your house with. So my question, Senator, is, did you disclose to the readers of the paper that day, in what I could tell was a fabulous, warm article about you, that you intended to move Senate Bill 1866 today? And, the follow-up question is, had they known, would they have written such a nice article about you? You can take all the time you want to answer the question, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

First of all, Senator Roskam, I haven't seen the newspaper, but I can't imagine that anything would of changed if they knew about this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR D. SULLIVAN:

Thank you, sir. Senator, we discussed the Peotone aspect of this potentially, but what -- this isn't your first bill is it? If you -- if you got to be Majority Leader and this is your first bill, nice job. What about like the STAR Line that they're talking about to take public transportation through my district from where it stops now at O'Hare out to Woodfield Mall? Which I hope you all shop at Woodfield; that's in my district. Is -- would this TIF legislation affect that area and that public transportation project?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

If it falls within a TIF district, yes. Is this our -- version of the filibuster?



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

The question is -- the question is, shall Senate Bill 1866 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. There's 54 Ayes, 2 Nays, 0 voting Present. Senate Bill 1866, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to Senate Bill 1856, on page 13 of your Calendar. Senate -- Senator Lightford seeks... Excuse me, Madam Secretary, all the amendments were adopted on Senate Bill 1856. Is that correct?

SECRETARY HAWKER:

Correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Lightford, do you wish to proceed? We're on the Order of 3rd -- Senate Bill 1856. All the amendments have been adopted. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1856.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1856 amends the School Code. What it does is actually repeal obsolete and duplicate Sections of our School Code. The State Board has taken some time over the last year to go through our big stack of paperwork that was indicated to us two years ago by the Governor to clean up some of that extra waste for administration. They've come up with eighty-nine areas to delete that would better help our principals and superintendents serve our children, and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

I move the previous question.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. There are one, two, three, four -- four people seeking recognition. Thank you, Senator. Senator Cronin, for what purpose do you rise, sir?

SENATOR CRONIN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR CRONIN:

I rise in support of this bill and wanted to point out to my colleagues here that this is the result of an effort that was begun under Governor George Ryan. There was a Blue Ribbon Task...(microphone cutoff)...studied the School Code and made recommendations about obsolete portions and much of those recommendations are included in this bill. I did want to point out though or maybe inquire of the sponsor: As we recall so well Governor Blagojevich's presentation last year when he put that big binder on the Podium and he dropped that down and it made a big loud thud and it was a good photo op for the Governor when he was talking about mandates. Remember that? Well, this is an effort to reduce those mandates. But my question is, is it a reduction of that book -- that booklet, that binder that existed at that time, or does this recommendation hold true with respect to any of the additions that have been made, the additional mandates, 'cause there's been dozens of 'em since then? Does that address any of those additional mandates since the Governor dropped that book for the cameras two years ago?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Thank you, Senator Cronin, for rising in support of this legislation and reminding the Body that this is something that our former Governor began with the task force looking at some of the waste at the State Board of Education. But what happened is, when our new Governor took place, the waste was still there. Unfortunately, the Governor's task -- the previous Governor's task had not completed the project. So I'm happy to join you and all of the Members of this Body in recognizing that there is duplication at the State Board

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

of Education and we need to clean it up. Now if it reduces the stack, that's wonderful, but we have a job as Legislators to constantly legislate and to do whatever we can to improve our State Board of Education.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Burzynski, for what purpose do you rise?  
SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question, sir.

SENATOR BURZYNSKI:

Thank you. First of all, Senator Lightford, I want to apologize, because we were -- you were interrupted in the presentation of this legislation earlier. So I apologize for that, while we were trying to call for a caucus that you were interrupted and that we weren't allowed the caucus at that time. But anyway, having said that, one of the -- one of the -- one of the parts of this is relative to the Giant Steps program. Could you tell us whether Giant Steps is in, is not - just as a point of clarification, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Burzynski, the Giant Steps program was restored with the Amendment No. 3.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Then just to the bill: I -- I, too, rise in support. I think the sponsor has done a -- a great job in trying to cut some of the unnecessary rules and regulations that we have and just like to commend her for that. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Thank you, Mr. President. First of all, a point of order and then ask if the sponsor will yield for a question.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR ROSKAM:

Mr. President, is Senate Floor Amendment No. 1 a part of the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Let me have our Secretary check, sir, and we'll be back with you in one second. We have a lot of time. June 1st. The Governor will be hosting a 4th of July party at the -- at the house this year, so... Senator... No Amendment No. 1 is not on the bill. Senator Roskam.

SENATOR ROSKAM:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir.

SENATOR ROSKAM:

Senator Lightford, are there any policy changes that are being made as a result of this legislation, or -- or what -- are -- are you basically telling us that we're moving like typos and other things that -- that have no impact? I mean, are we just simply editing basically the School Code and updating and there's nothing substantive? So Governor Blagojevich comes in and, as Senator Cronin suggested, he -- he made this big deal about this Soviet style bureaucracy and it -- and is it -- is it your presentation that we're not addressing that at all?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Roskam, what we're doing, actually, is just deleting Sections that are no longer valid, that we've found were duplicative, another Section was taking the place of that, and basically just cleaning up Sections that don't benefit us.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

So, there's no changes in terms of special education? There's no changes in terms of autism? There's no changes in terms of tenure rules? There's no changes in terms of any disciplinary things? This is -- this is not what the Governor

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

was advocating at one point, a massive sweeping change? This is editing at its best? I mean, that's really what we're talking about?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. I would agree with that. The State Board of Ed and the Governor's commission, they have sat down together and come up with eighty-nine different Sections. Some of them are just totally obsolete. Some are Sections that were identified by the State Board to be duplicative and then some that were identified by the commission. They worked together, came up with this bill and we did make some changes that were restored with Floor Amendment 3 and 4.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Last question. So, it's your understanding that there are no opponents at all? There's no program opponents? There's no group that we can anticipate going home and over the summer and hearing from then we -- that we took away the emphasis of a particular group or we've somehow denigrated the special education families and their students? I mean, you're -- you're confident in that assertion?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. In fact, it's been public knowledge since January. No one has come forth to create any opposition in any way.

PRESIDING OFFICER: (SENATOR DeLEO)

Our last person seeking recognition, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question.

SENATOR RIGHTER:

Thank you. Senator Lightford, I -- I -- at first I had a -- a misunderstanding about what this bill was. And, of course, so many of us hearken back to the speech that was given at the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

beginning of last year, I believe, when we heard a lot about reducing the School -- Code and reducing mandates. Does -- in all of this that we are taking out, are there any mandates in there that -- that are being removed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

You talked -- in -- in answer to one of Senator Roskam's questions, you said that this has been public since January. When you say that, can you tell me what exactly that means? I mean, were there hearings held across the State or was there a notice put out to all eight hundred and eighty some school districts that, "Hey, we're cleaning up the School Code. Do you -- you notice anything that's duplicative in there? Make -- make your suggestion, e-mail it in and we'll..."

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. It was listed on the State Board of Ed's website since January. So, they did have feedback from different community groups and different superintendents. And from that we went ahead and had Floor Amendment No. 3 to restore the Gifts {sic} program and then Floor Amendment No. 4 that dealt with the tort immunity. Those were the only two areas over a five-month period that had been identified as problem areas. We amended that and I believe we have a solid bill that will help us clean up areas that are not functioning on behalf of our children, administration, State Board, or our Body as a General Assembly.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, last question. Senator Lightford, I think you mentioned before that you didn't believe that there were any substantive provisions being taken out, but in Section

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

17-9.01, which is on our analysis as something that's being removed, I read that and our staff reads that to be some kind of supplemental tax levy for an individual district. Can you -- can you please explain to us what district that is for and why now it's being taken out?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Out of the eighty-nine Sections, I believe the one that you're dealing with, it -- what the Illinois School Management Alliance said was they thought that it was some special legislation that may have taken place years ago and it's not beneficial on the State Board records as it exists today. So in keeping with Section 17-901 {sic}, there was also 17-2.2(b) that also dealt with a tax situation. So, we did do some research in finding out that it's not catering to the -- all our school districts as a whole. They believe it was some special legislation moons ago and that it's not necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. The question is, shall Senate Bill 1856 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1856, having received the required constitutional majority, is declared passed. Senate Bills 3rd Reading. Page 38 of your Calendar. On the top of page 38 of your Calendar comes Senate Bill 945. Senator -- there's been a change in sponsor. Senator Link. Your Calendar reflects Senator Silverstein, but the -- we have on file Senator Link. Senate Bill 945. Senator Link seeks leave of the Body to return Senate Bill 945 back to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On -- now on the Order of 2nd Reading is Senate Bill 945. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to explain your Floor amendment.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

SENATOR LINK:

Thank you, Mr. President. Basically, this is a trailer bill for a bill that we passed out of here a couple days ago. And what it does is make an effective immediate date on electing public officials that are manufacturers or seller or distribution of -- alcoholic liquor distributors to the offices of trustee or alderman for city councils. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR ROSKAM:

Senator Link, is -- Senate Bill 945, is it strictly -- does it have the substantive language in it in terms of the liquor and alcoholic producers being able to run for public office? And is the Floor amendment simply the -- the change in the effective date, or -- or is the whole bill the change in the effective date?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Senator Roskam. Basically, what it is, it's the same bill that we passed. The only difference is, is the effective date. That's what we did on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

So, the -- we -- we passed out a -- a completely different Senate bill or a different House bill that already left this Chamber, but it did not have an effective date. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam -- Senator Link.

SENATOR LINK:

I know we look a like. It's -- it had a January 1st effective date. This would have an immediate effective date.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

That's the only difference of the -- the bill. That's why we changed it so it would have an effective immediate date.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. We have one, two, three, four seeking recognition. Senator Roskam.

SENATOR ROSKAM:

On Senator Crotty's motion, pursuant to Senate Bill {sic} 7-8, I would request a roll call vote.

PRESIDING OFFICER: (SENATOR DeLEO)

That request is in order, sir. We'd be glad to do that. Senator Roskam, been informed by very informed sources your request is in order, sir, but what will happen if we go to a roll call vote, we're moving the previous question, it eliminates all the lights and so there'll be nobody -- the debate will be ended after this roll call, sir, and we'll go right to a roll call. So, our custom is to take the lady's motion, move the previous question, let the people seeking recognition speak or if we go to a roll call, it eliminates all speaker's lights. So, it's your discretion, sir. Senator Roskam.

SENATOR ROSKAM:

Is that the opinion of the Chair? I know there's people that are whispering in your ear, but is that the opinion of your Chair? Surely not.

PRESIDING OFFICER: (SENATOR DeLEO)

The -- the -- the Chair has ruled. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I would appeal the ruling of the Chair and ask for a roll call motion on -- or ask for a roll call on that motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, shall the ruling of the Chair be sustained? Vote Aye to sustain the ruling of the Chair. Vote Nay to overturn the ruling. Ladies and Gentlemen, voting is open. Vote -- vote Aye to retain -- to sustain the ruling of the Chair. Vote Nay to overturn the ruling

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

of the Chair. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On the question, there are 31 Ayes, 26 Nays, 0 voting Present. The question, having failed to receive the necessary three-fifths negative vote, the appeal fails and the ruling of the Chair is sustained. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I'd request a verification of the roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman requests a verification of those voting in the affirmative. Madam Secretary, please read -- will all Members please be in their seats? Madam Secretary, read the affirmative votes, please.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Demuzio, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Raoul, Ronen, Sandoval, Shadid, Silverstein, John Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, do you still question the presence of any Member voting in the affirmative, sir?

SENATOR ROSKAM:

Well, questioning is such a harsh word, Mr. President. I was actually more inquiring and my inquiry really centers around Senator Raoul, who I think should be under some sort of Barney Fife like citizen's arrest for keeping his head down and not being in his chair. Now, I'm sure that there's some special dispensation that he gets for being Senator Obama's replacement, but I think he should be put on notice that during verifications he should sit down promptly.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. On a verified roll call, there are 31 Ayes, 26 Nays, 0 voting Present. The ruling of the Chair is sustained. Senator Roskam, do you still request a verification -- a roll -- I'm -- excuse me, a roll call?

SENATOR ROSKAM:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Yes. Mr. President, the Chair has been sustained. Congratulations.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you very much.

SENATOR ROSKAM:

And I would now request, pursuant to the appropriate Senate Rule, a roll call vote on Senator Crotty's motion to move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall the -- shall the lady's motion be adopted? All those will vote Yes. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. -- Madam Secretary, please take the record. On that question, there are 36 Ayes, 22 Nays, 0 voting Present. The lady's motion is sustained. Now, the question is, shall Senate Bill 945 pass. Those in favor, vote Aye. Those... Okay, Ladies and Gentlemen, can I have your attention please? We're still on the Floor amendment. The question is -- there has been a request for a roll call. The question is, shall Floor Amendment No. 1 to Senate Bill 945 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 50 Ayes, 4 voting Nay, 2 voting Present. The amendment is adopted. Now, on the Order of 3rd Reading. Senator -- Link, do you wish to proceed on Senate Bill 945, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 945.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, on the bill, sir.

SENATOR LINK:

Thank you, Mr. President. First of all, I'd like to congratulate Senator Roskam, because now I don't have to do a parade this weekend. I'll be down in Springfield, because their delay tactic worked. President Jones has indicated that we will

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

be here this weekend because of the delay that we're doing. So, I thank you. So -- so it's -- it's going to be an enjoyable weekend. This is the same bill as I indicated in the amendment of House Bill -- it was the same as House Bill 1285 that we passed out overwhelmingly with 49 votes. All it does is change the effective date from January to immediately. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, for what purpose do you seek recognition?

SENATOR GEO-KARIS:

Mr. President, I've been trying to get your attention. I know you've been busy up there. All I'd like to ask the sponsor of the bill, as amended, just give me a brief statement of what the bill does, 'cause everything's been confused the way all these motions and motions and motions. So, let's stop rocking the boat, and if you'll just tell me what your bill does, as amended.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

The bill allows people that hold a -- a license, a direct interest in manufacture, sale or distribution of alcoholic liquor, that they will be allowed to run for alderman or city council or commissioner or member of village board or trustee or county board. It's the same bill that we passed out of here 49 to 4. The only thing we're doing different is we're changing the effective date.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones, for what purpose do you seek recognition, sir?

SENATOR W. JONES:

Mr. President, is it allowable to ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DeLEO)

The courteous sponsor indicates he'll yield for a question, Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President. Senator Link, doesn't this take us down a track that we don't want to go down in terms of having people involved in liquor be an -- presiding on -- in bodies that

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

pass our laws on liquor at the local level?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

The people will -- the people that will be voting on this will have no direct bearing on the issuance of a liquor license. The only person that would be doing that would be the mayor or the president of the village board or the president of the county board, and this law will preclude them from running for office and so they would have no interest in the ability of issuing that license.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. So, there would be no direct conflict of interest, because they would take themselves out of the voting should they be elected alderman. Is that correct, Senator Link?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

If they would have a conflict of interest, it would be like any other trustee, legislator, or anybody else; they would have to recuse themselves.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, for what purpose are you seeking recognition, sir?

SENATOR DILLARD:

A parliamentary inquiry if I may, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes. An inquiry of the Chair.

SENATOR DILLARD:

Do you have a piece of paper up there or a pencil?

PRESIDING OFFICER: (SENATOR DeLEO)

Is that the inquiry?

SENATOR DILLARD:

That's the inquiry and then I may have another inquiry.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes. We have -- we have -- all the needs. This is the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

State of Illinois; we're fully equipped, sir. Senator Dillard.

SENATOR DILLARD:

Thank you. As I sit here and look and -- and ponder, knowing that the previous question may get asked by Senator Crotty over and over again - and I understand the game; I sat next to Senator Weaver, the Majority Leader, who probably raised the previous question, along with Senator Jacobs' father, more than anybody else in the history of this Chamber - but as I look at -- at Rule 7-8, I'm unclear, Mr. President, why all of the lights are disregarded on such a motion. And I guess my -- my -- my -- my inquiry goes: Why are we denying people who are legitimately elected Members to this Body from a quarter of a million people the right to speak on a bill if they had their light on prior to the previous question being raised or asked?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator -- Senator Dillard. And if you look at our Rules on page 30 {sic}, you'll see that the effect of the main question being ordered is to put an end to all debate and bring the Senate to a direct vote on immediate pending motion, and that is after the lady's motion, and that is in our Rules. Senator Dillard.

SENATOR DILLARD:

Thank you. As -- as you're always fond of saying, I'll -- I'll get back to you on that and I'll look at page 30. But my point is, you know, it could be a Democrat's light that's on as well and we really need to look at and think about whether if you have your light on legitimately, whether you want to deny a -- a Member the right to speak on a bill where they clearly had their light on. But I'll take a look at page 30, and I guess my suggestion, and why I asked for pencil and paper, is you could write down which lights were legitimately blinking and get back to those people. So, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Well, Mr. President, I just want to commend you on your patience that you've shown during this time when there's some questions that are asked repeatedly, the same question. We have a lot of young people today -- here today and I wanted them to

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

understand what a -- a unofficial filibuster actually is when intelligent Senators keep asking redundant and dilatory questions just to stall the system. I commend you on your patience and you haven't been rude or mistreated any Member here in the Chamber and you should be commended for that.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your kind remarks, sir. Speaking of kind remarks, Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a question.

SENATOR ROSKAM:

Senator Link, as we are here today, is there any particular individual or village or community that you have in mind that you've learned about where there's an official that is seeking to -- to -- or - or, a -- a prospective candidate who would like to run for office that you've heard about that wouldn't have been able to run if it weren't for this change in the effective date?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

That -- that was a lot of statements in one question. I don't know if I allow you to ask that much, but, no, I don't know of anybody in particular. The thought process was to get this done immediately so that it could be done. Why wait until January? Let it be done immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, the gentleman from Coles County, for what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'd love to yield for a question, sir.

SENATOR RIGHTER:

Thank you, Mr. President. I want to join Senator Hendon in congratulating you on the respect that you're showing to the Members and showing a great example for the people who are in the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

gallery. Senator Link, the bill uses the term "law enforcing public official". Other than the obvious, a police officer or firefighter, I mean, who -- can -- who would that be? Can you give me an example of who that would be? I mean, that's in the list of officials who can't have a direct interest in, let's say, a bar and serve on the city council? Can you give me an example of who else that...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

It -- it would generally be people who act as peace officers and people of that magnitude that it would cover.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, the bill also says that even if the individual who has a direct interest, let's say, in the sale of liquor and is serving on the city council, that they can't participate in any meetings or hearings or whatnot that - and I'm going to quote from the bill - that would impact the manufacture, sale, or distribution of alcoholic liquor. Would that include, let's say, zoning hearings if someone is seeking a variance to place a certain commercial establishment in a residential area? Would that -- I mean, would that be one?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Most definitely, it would. They would be an elected alderman, trustee or county board member. They would have the same rights. But as I indicated to Senator Wendell Jones, if there would be a conflict of interest, they would recuse themselves, such as you would do if there was an interest in what you would have to recuse yourself or I would have to in my particular case. That would be the same thing we would have to do. That individual would have to do the same.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Last question. Thank you very much, Mr. President.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir.

SENATOR RIGHTER:

Senator Link, I want to go a little bit farther removed from a zoning hearing, 'cause maybe to some people that would be relatively obvious that that could have a direct impact on an establishment that -- that sells liquor. Let me give you an example: What about a hearing or a matter or a vote on an infrastructure improvement around a bar or a wholesale liquor and just to -- because this is my last question - in two parts. One, that kind of -- that kind of action generally; and second, if you and I both serve on the city council, Senator Link, and we each own a bar, if that matter -- let's say we're talking about a -- infrastructure improvement around your bar, even though I don't have any interest in your bar, am I prohibited from taking a vote on that matter? Or is it only with regards to the matters that affect the -- the -- the -- the bar that I have an interest in? Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Rauschenberger, for what purpose do you rise, sir?

SENATOR RAUSCHENBERGER:

A point of clarification on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RAUSCHENBERGER:

Yeah. I -- just -- the question came up earlier whether there -- anyone knew of any public official who needed an immediate effective day. To the best of my knowledge, the newly elected Kane County Board Chairwoman, as her husband is a beer distributor, she specifically requested this legislation so she could clarify and avoid conflict of interest. I just thought, in -- in -- inasmuch as Senator Link wasn't sure, I would just clarify that for people. To the best of my knowledge, it -- it's the -- the Chairwoman of the -- newly elected Chairwoman of the Kane County Board. I appreciate Senator Link bringing the bill forward, and I -- I, like others, appreciate the forbearance and the patience of the Chair and I really have enjoyed being in the Senate today. Thank you.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you -- thank you, sir. Senator Burzynski, for what purpose you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. First of all, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield -- he'll be glad to yield for a question, sir.

SENATOR BURZYNSKI:

Thank you. I have just two very quick questions. However, you didn't respond to Senator Righter's question. Senator - or, the President called on -- on Senator Rauschenberger for clarification before he could respond to Senator Righter's question relative to the impact if you voted on - if there were two members on the council -- so you've got the gist. So, can you respond to that, by any chance?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Senator. To answer all of these questions, they would have the same rights as any other elected official to any other body in which they serve - the same as you do, the same as I do, the same as anybody in this Chamber, same as any elected official in a local municipality; they -- they have the rights. If there should be presence of a conflict, they must recuse themselves from that. Any presence of a conflict, any hint of a conflict, they must recuse themselves from that or notify the other trustees or aldermen of that so that they can. To answer Senator Rauschenberger's question, I have no idea who the new chairman of the board is or their spouse. So, to my knowledge, no I do not know of anyone who is seeking leave for -- this immediate effective date.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, and thank you for your response, Senator. Just very quickly, if -- if the bill did not have an immediate effective date, would it have any impact on any future

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

election, because I -- I -- I don't think there'll be another election held until even this bill would become law even if there wasn't an immediate effective date. So, would it have an impact without the immediate effective date?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

No. It would not have any effect on an election. The only reason that it was brought to my attention - the effective immediate date - it would give the opportunity to appoint any individual that may be seeking or is in the term like Senator Rauschenberger brought an incident that just was brought to light like now. Any of those types of things would be covered. So, why not, if we're going to pass the bill, do the effective immediate date? That was the only reason it was changed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. One last question very quickly. Since the Governor introduced a new ethics package a couple of weeks ago, would this bill have any impact on that or do you know whether the Governor would have a problem with this and would he -- would he sign this bill should it become law?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

I work on the 3rd Floor, not the 2nd Floor, so I couldn't answer that question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Link, the gentleman from Lake County, to close, sir.

SENATOR LINK:

I -- I just wish I would of had this effective date on the last time, because there was no debate on this bill. It would have been done a lot quicker. I just ask for 58, I think, affirmative votes. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The question is, shall Senate Bill 945 pass. Those in favor, vote Aye. Those opposed will vote Nay.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 49 Ayes, 5 Nays, 2 voting Present. Senate Bill 945, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we'll now proceed on your Calendar to page 52. On the bottom of page 52 is Senate Bill 1138. Senator -- Senator John Cullerton seeks leave of the Body to return Senate Bill 1138. With leave of the Body, we'll return to -- Senator Cullerton got -- called off the Floor for a second. We'll return to that very shortly. Let's go to page 56 of your Calendars. In the middle of page 56 -- we're continuing on Senate Bills 3rd Reading - is Senate Bill 1180. Senator Link, on 1180. Senator Link seeks leave of the Body to return Senate Bill 1180 to the Order of 2nd Reading for purposes of an amendment. Out of the record, Madam Secretary. Continuing on Senate Bills 3rd Reading. On the -- bottom of page 61. On the bottom of page 61 comes Senate Bill 1267. Senator Forby. Senator Forby, on Senate Bill 1266 {sic}. Senator Forby seeks leave of the Body to return Senate Bill 1267 to the Order of 2nd Reading for purpose of an amendment. Is that correct, sir? Hearing no objection, leave is granted. On the Order -- now on the Order of 2nd Reading is Senate Bill 1267. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby, to explain your amendment. Just before you - - Senator Forby, one second before you explain the amendment. Senator Dillard. Senator Dillard, the Chair has taken a wise, wise thoughtfulness on your recommendation that all Members of this Body should have an opportunity to speak, representing those two hundred and some plus thousand people in the State of Illinois. In order to let people have that opportunity to speak, Senator, we're going to start the debate light. Let everybody have a chance. Anybody that would like to speak, House Members could come over, guests and relatives could come over, but we will be using the debate clock on this -- on this bill the -- for the rest of the day, sir. So, thank you so much for bringing

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

that -- allowing people to speak, sir. On that, Senator Forby, on the amendment, sir.

SENATOR FORBY:

Thank you, President. What this amendment does is, Department of Labor, make them have the same rules as OSHA and it's not changing any rules or regulations, but what we're trying to do, get with the federal so we won't lose any revenue that the State might get out of this. Run this through the Department of Labor. There was no opposition to this bill and I'll try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussions? Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Thank you. Senator Forby, I wonder if it -- it wouldn't be appropriate for the -- for the Members of the General Assembly - most of whom, obviously, who were not in the Labor Committee - to -- to go through in a little more detail what adjustments are being made. I mean, to say that the State -- we need to make some changes to get better in line with OSHA would imply that we're a little bit out of alignment with the federal law. So, can you -- can you be a little more detailed for that? Thank you, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby. And let me remind the Body, we are on the amendment.

SENATOR FORBY:

Yes. What this is, is OSHA is federalized; they have their own rules and regulations. And the Department of Labor works under same rules and regulations, but what this does is put 'em together as one, one department, and as doing that, as I said before, they got a chance of getting federal money, fifty-percent of the federal money.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

SENATOR RIGHTER:

Thank you, Mr. President. Senator Forby, something in your answer confused me a little bit. You said, "to put them together into one department". I mean, is there a consolidation here? Is there a joint federal -- okay, maybe -- maybe you can explain. I'm sorry -- that -- you -- you said that and I'm not sure what that meant. Thank you. That -- that's the last question on the amendment. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion on the amendment. The question is, Senator Forby moves the adoption of Amendment -- Floor Amendment No. 1 to Senate Bill 1267. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor -- amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1267. Senator Forby, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby, to explain the bill, sir.

SENATOR FORBY:

I explained it a while ago, so I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Geo-Karis, for what purpose are you seeking recognition, ma'am?

SENATOR GEO-KARIS:

Will the gentleman yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

The lady from Lake asks the gentleman will he yield for a question. He indicates he will. Senator Geo-Karis.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

SENATOR GEO-KARIS:

You may have explained it a while before, but then you've amended it. Would you please tell us, just briefly, what does your bill do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby, an explanation of the bill, sir.

SENATOR FORBY:

Floor Amendment 1 -- No. 1 to Senate Bill 1266 {sic} modifies to -- the Safety Inspection of {sic} (and) Education Act and Health and Safety Act in order to them with -- with the federal OSHA Act and the Department of Labor.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Think -- I think you mean 1267; you said 1266. You -- you mean...

PRESIDING OFFICER: (SENATOR DeLEO)

Yep. That's correct. He did mean 1267, ma'am.

SENATOR GEO-KARIS:

1267. Okay. That's all. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Forby, you mentioned in presentation of the amendment - and I didn't have time to get to that a -- a funding source. Can you explain to me exactly what kind of funding source this will create for the State by passing this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

If they get federal approval, it'd be fifty-percent matching grant.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Grants that would go toward exactly what?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

It goes to the Department of Labor.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Last question. Thank you, Mr. President. And it was the question that I asked it -- on the amendment, 'cause I think that the Chair inadvertently didn't ask you to answer that question. And that was, you mentioned consolidation of departments. There's -- is there anything like that going on in this or is this just kind of a reworking of our own statutes and regulations to be more in line with OSHA?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Forby.

SENATOR FORBY:

There is no consolidation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, the question is, shall Senate Bill 1267 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take that record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1267, having received the required constitutional majority, is declared passed. Senator John Sullivan, for what purpose do you rise, sir?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR J. SULLIVAN:



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Ladies and Gentlemen of the Senate, I'd like to introduce this young lady standing beside me. Her name is Margaret Street. She's from Rushville, my hometown, and she is a delightful lady, very fashionable, has spent some time here in Springfield. And I'd just like everybody to welcome her, as well as my wife, Joan, to the Senate Floor.

PRESIDING OFFICER: (SENATOR DeLEO)

Please -- welcome to the Illinois State Senate and welcome to Springfield. Ladies and Gentlemen, turning your Calendars -- with leave of the Body, we will go back to page -- page 52. On the bottom of page 52 of your Calendar is Senate Bill 1138. Senator Cullerton. Senator John Cullerton seeks leave of the Body to return Senate Bill 1138 -- to return Senate Bill to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading now comes Senate Bill 1138. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to explain the amendment. Floor Amendment No. 1, sir.

SENATOR CULLERTON:

Apologize. I need this out of the record.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Out of the record. Senator Dillard, for what purpose are you seeking... At this time, Ladies and Gentlemen, we will be going to Supplemental Calendar No. 1. It's been distributed and printed. It's on your desk. We'll be going to Order of Secretary's Desk, Concurrence on Senate Bills. Excuse me. We're going to the top of page -- Supplemental Calendar. Senate Bills 2nd Reading. On that is Senate Bill 1353. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1353.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Senate Bills Order of 2nd Reading, Supplemental Calendar, is Senate Bill 1719. 1719. Senator James Clayborne. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1719.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senate Bills 2nd Reading is Senate Bill 1978. Senator Haine, do you wish to proceed? He indicates he does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1978.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Okay. Ladies and Gentlemen, we're going to go to House Bills -- House Bills 3rd Reading. On the page 67 of your Calendar is House Bill 27. Senator Haine. The gentleman seeks leave of the Body to return House Bill 27 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 27. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3 {sic} (4), offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to explain your amendment, sir.

SENATOR HAINE:

Yes. Mr. President, Ladies and Gentlemen of the Senate, this amendment allows a county board to lease county land for a

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

public safety reason. This grew out of a situation in Senator Geo-Karis' district and the Dean of the Senate asked that this be placed on a bill that I was handling for Senator -- I'm sorry, for Representative Mitchell, which, as you know, deals with a local government issue, the licensing of adult entertainment facilities in his area. So, since it's germane, we added it and that's what it is. It's a -- it's an excellent bill and I would ask for it to be approved.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Inquiry of the Chair first, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR RIGHTER:

What -- what is the status of Floor Amendment 3?

PRESIDING OFFICER: (SENATOR DeLEO)

Floor Amendment No. 3 has already been adopted, sir.

SENATOR RIGHTER:

Great. Thank you. Will the sponsor yield, please...

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RISINGER:

The -- thank you. Senator Haine, the issue of so-called adult entertainment facilities is a -- is a -- is an -- it's a touchy issue in all of our districts. What -- what exactly is in this amendment do you think will help our local governments, particularly our counties, deal with these issues?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Floor Amendment No. 4 combines the previous amendment and the original bill. The original bill has to do with regulating - - I'm sorry, the original bill had to do with regulating adult entertainment facilities in a county area. It subsequently became apparent when the bill came over from the House that this should have been addressing municipal corporations. So, we amended the bill to reflect the reality of the situation in

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Representative Mitchell's district and then the Dean of the Senate, Senator Geo-Karis, came in with a proposal, as a result of conversations with her State's attorney, on leasing county land for one dollar for a homeland security facility. So, we combined the corrected intent of what Representative Mitchell wanted to do with the gist of what -- what Senator Geo-Karis wished to do and we have truly an excellent local government bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Senator Righter.

SENATOR RIGHTER:

Last question. Thank you, Mr. President. Can you tell me, Senator, if there's anything in this amendment that has to do with signage, the regulation of signage that these facilities might have either apart from the building or attached to their building? I had legislation that dealt with that issue that became mired in Local Government. Can you tell me if there's any help on that issue in this -- in this amendment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

No. It does not, Senator. This is a unique bill in which this combines the regulation..

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The answer is no. Senator Wendell Jones, the gentleman from Cook, for what purpose do you rise?

SENATOR W. JONES:

Well, thank you, Mr. President. Just to state that this came through Local Government unanimously. We agree with these two fine amendments. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The lady from Lake, the Dean of the Senate, Senator Geo-Karis, for what purpose are you seeking recognition?

SENATOR GEO-KARIS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to thank Senator Haine for putting this amendment on which affects our county quite a bit and it'll help other counties too. And thank you for having it and I ask for

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further recognition? Any... Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman indicates he'll yield for a question, sir.

SENATOR ROSKAM:

Very briefly. Senator Haine, you mentioned -- the earlier version of the bill was directed towards giving counties authority, I assume, and then you subsequently amended it to include. I mean, did you replace counties with municipalities? 'Cause it seems to me like the -- my understanding of this, generally, is that a lot of times municipalities have tools to -- to regulate this and the counties lack them. Can you just speak generally to those two, the county versus municipal issue as it relates to your amendment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Well, the cities do not have sufficient authority, A. B, it -- it turns out the counties do not have authority; however, townships do. So, the townships opposed the original amendment on the grounds it was unnecessary and, therefore -- and then Representative Mitchell found that the -- that the problem was actually in a city, a village, I believe, a municipality, municipal corporation. So, therefore, we amended it to reflect the reality of it. So it's no -- no big deal.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Senator Haine moves the adoption of Floor Amendment No. 4 to House Bill 27. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration, ma'am?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

House Bill 27. Senator Haine, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 27.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

This is a very good bill. It -- it is a unique bill in the annals of the General Assembly. It regulates adult entertainment facilities and provides homeland security all in the same breath. I think it's a great bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. The question is, shall House Bill 27 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 27, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 325. Senator Winkel. House Bill 325, sir. Do you wish to proceed? Out of the record. Continuing on House Bills 3rd Reading is House Bill 350. Senator Jacqui Collins. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Senator Collins seeks leave of the Body to return House Bill 350 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 350. Madam Secretary, is there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 5, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to explain Floor Amendment No. 5, ma'am.

SENATOR COLLINS:

I think it's No. 6 -- Floor Amendment No. 6.

PRESIDING OFFICER: (SENATOR DeLEO)

There's two amendments filed, ma'am, 5 and 6. Would you

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

like to proceed...

SENATOR COLLINS:

We would like to table Floor Amendment No. 5 and go with...

PRESIDING OFFICER: (SENATOR DeLEO)

The lady requests the -- tabling of Floor Amendment No. 5. That's in order. No. -- Floor Amendment No. 5 is now -- those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the Floor amendment is tabled. Now we'll proceed to Floor Amendment No. 6. Senator Collins, to explain the Floor amendment, please.

SENATOR COLLINS:

Thank you, Mr. President and Members of General Assembly. Floor Amendment No. 6 is identical to Floor Amendment No. 5, except that the exemption from the ban on sex offenders residing within five hundred feet from a school, park or playground is restricted to sex offenders that reside in a licensed treatment facility where the facility is in operation on the effective date of the Act, applies for licensing within a hundred and twenty days after the effective date of the Act, and is located in Cook County.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Dillard, for what purpose do you rise, sir?

SENATOR DILLARD:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

The lady indicates she'll be glad to yield for a question, sir. Senator Dillard.

SENATOR DILLARD:

Thank you. Just so we're clear, just -- just in plain English, paraphrasing, Senator Collins, what's the difference between Amendment No. 5 and Amendment No. 6?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Senator Dillard. Thank you for the opportunity to explain. Under Floor Amendment No. 5, it would have made it very -- it would have broadened the requirements for the facilities. It would have allowed sex offenders residing within

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

five hundred feet from a school, park or playground -- the facility in good standing, all it would need would be if a facility was licensed, was in good standing with the Illinois Department of Corrections, it could exist. We wanted to narrow it down and really protect that five hundred restriction, and so by making stipulations in reference to the facilities, narrowing it down, it really would grandfather the facilities that are already in operation who might want to apply for a license and meet the criteria where they would have to be -- have certain restrictions about the quality and -- and the safeguards put in place.

PRESIDING OFFICER: (SENATOR DeLEO)

The Chair would like to recognize a former Member, Senator Larry Walsh, now Will County Executive. Welcome back to your home. Senator Dillard.

SENATOR DILLARD:

Thank you. I'd -- I'd like to ask Senator Collins one more question before I ask her whether Senator Walsh ever had a picture as big as Senator Halvorson on the Sunday Joliet newspaper. But if the sponsor would yield for one more question.

PRESIDING OFFICER: (SENATOR DeLEO)

Lady indicates she'll yield for a question.

SENATOR DILLARD:

Senator Collins, was there a particular problem? Is there a story that goes with this amendment? You know, what's -- where'd this -- why are we doing this? Where'd this come from?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Collins.

SENATOR COLLINS:

Well, the -- when it was presented -- when the bill was actually presented in Judiciary Committee, there was concerns that by Floor Amendment No. 5 which would allow if there was no facility operating now, there might be a way of opening the door for these facilities to locate within five hundred feet. So, it was so broad we wanted to narrow it down to really deal with one particular case, St. Leonard's House, which is a -- a house -- facility that deals with sex offenders that have been very -- they're very reputable. They've had much success, and so they felt that -- could there be a way for us to grandfather them in,



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

but as the legislation was originally drafted it was too broad and we didn't want facilities coming up later locating within five hundred feet of schools, parks, and et cetera. So, that would nullify the intent of the original legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman from Jefferson County, Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Mr. President. A - a point of personal privilege about -- former Senator Larry Walsh.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR J. JONES:

You know, I -- I noticed that former Senator Larry Walsh is -- is here quite a bit and I thought he was the Executive Director of -- of Will County. I guess maybe we may be getting closer to a -- a finalization of the budget, 'cause I see Larry is here asking for his money. And I guess once we get him satisfied then we'll be able to finalize it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lightford, for what purpose do you rise, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, ma'am.

SENATOR LIGHTFORD:

Thank you. Senator Collins, I just want to thank you for addressing this concern with Floor Amendment No. 6. I was a former employee with the Department of Corrections and did my graduate study. And the first thing that I did there was implement the sex offender treatment program. But what I want this Body to recognize is, we continuously put more and more restrictions, yet there is no housing available for sex offenders, especially in the Cook County area. So, I do want us to be concerned and cautious with the fact that, as we continue to put more and more restrictions on sex offenders, they have no where to go when they're released from incarceration. And I do recognize that they are sex offenders and that they've possibly

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

done some things, but once they've served their time, they need to come back to the communities and reintegrate themselves and become active and involved. And it's so difficult when we constantly put restrictions on where they can live. So, I appreciate your recognizing that a -- a treatment facility can take in sex offenders and continue to -- rehabilitate them without causing do harm to the community at the same time. So, I rise in support of this amendment and I hope that we can move this out of here on 3rds. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The kind gentleman from DuPage, Senator Roskam, for what purpose are you seeking recognition, sir?

SENATOR ROSKAM:

Thank you, Mr. President. Speak to the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR ROSKAM:

You know, I want to pay a compliment to Senator Collins. She -- if you'll notice it's Amendment No. 6. So, this is a Senator who introduced a bill and then the committee said, well, why don't you keep working on that a little bit, and she made a pledge to do that and came up with Amendment No. 1, No. 2, No. 3, No. 4 and No. 5 and now we here are on Amendment No. 6. And when Senator Collins was in the committee seeking our support -- she looked us all in the eye and made a pledge and that pledge was to work for an agreed bill and she wouldn't move the bill until there was an agreement. And I'm here to compliment her, 'cause she's kept her pledge, and six amendments later, here we are. I'm rising in support of the bill. Just be aware, this is not a bill without its controversy. No matter what way you vote on this bill, you'll be subject to some criticism. I think on balance the right vote is an Aye vote. Your detractors will say, well, what you're really do -- doing is giving your imprimatur on a sex offender treatment facility that is within one - or, within fifty -- five hundred feet of one of these areas that are generally protected. But the bottom line is that the law, as enacted, has placed sex offenders on the street, and the people who were running that -- that facility, rather than being in violation of the law, said what we need to do to be in compliance

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

with the law is put people out. And, believe me, if our choice is having sex offenders in a treatment facility or having sex offenders on a street, let's not kid ourselves, the arbitrary distance of five hundred feet makes no difference in protecting children whatsoever. So, I compliment Senator Collins for hard work. I compliment her on -- on keeping her commitment to the -- to the committee and I urge an Aye vote. But it's an -- a vote that you should be aware of: No matter what way you go on this bill, you may hear of this again. But I think the right thing to do is to support the Senator in her amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The lady from Cook, Senator Collins, to close.

SENATOR COLLINS:

Are we still on the amendment adoption?

PRESIDING OFFICER: (SENATOR DeLEO)

We're -- we're -- we're adopting Floor Amendment No. 6.

SENATOR COLLINS:

Okay. I just -- motion for an adoption of...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Collins moves the adoption of Floor Amendment No. 6 to House Bill 350. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading comes House Bill 350. Senator Collins, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 350.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, do you wish to proceed. She indicates she wishes to proceed. Madam Secretary, please read the bill. Did

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

read the bill. I'm sorry. Senator Collins, is there any discussion?

SENATOR COLLINS:

I just want -- I want to thank my colleagues, especially Senator Roskam, for speaking in support of the bill and the amendment, and the amendment really was drafted taking in consideration some of his concerns. Let me just give you a little bit of background. The bill arose from a series of articles in the Chicago Tribune that ran in January and February of this year indicate -- indicating that more than ten percent of all sex offender parolees were sent to live in one single zip code, 60628, which I -- which happens to be, I believe, Senator Meeks' district. So, what we wanted to do was to prevent the saturation, because what they did in 60628, they could go to Will County and do, DuPage County and do. So, we wanted to put in -- in place some restrictions and regulation where they would have to be licensed. And one of the -- in the understanding of the criteria for licensing, it requires -- it limits the sex offender to ninety days' residency in the facility; it requires the Department of Corrections to approve a treatment plan for each sex offender in the facility; it requires the facility to provide twenty-four-hour security approved by the Department; and requires the facility to notify the police department, public and private schools, public libraries and each residential home and apartment within five hundred feet of a facility of the name and address of each sex offender residing in the facility. So, this puts into place some guidelines and restrictions that were not there previously. And -- and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Lightford, for what purpose do you rise, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. Briefly to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR LIGHTFORD:

Again, I want to acknowledge the Department of Corrections for finally taking a stand and -- and knowing that sex offenders

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

have the most difficult placement when they return to the communities and I'm grateful that they've finally taken a stand and creating and licensing and being the rule maker over transitional facilities to in-house sex offenders. You know, they come home and they go to those overnight homeless shelters and then they're just out prowling the streets. So, this brings restrictions and this helps many communities feel much safer in knowing that sex offenders, because the Department of Corrections has taken a step to license more treatment facilities and I commend the sponsor and - and urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 350 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 40 Ayes, 16 Nays, 0 voting Present. Senate Bill 350, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on House Bills 3rd Reading. We'll go to the top of page 68 of your Calendar. Senator Trotter, do you wish to proceed, sir? Senator Trotter seeks leave of the Body to return House Bill 369 to the Order of 2nd Reading for the purposes of a... Okay. Leave of the Body, we will skip 369 and go to House Bills 3rd Reading. Senate -- House Bill 398. Senator Crotty, do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill. No, I'm sorry. Senator Crotty, seeks leave of the Body to return House Bill 398 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 398. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Crotty, to explain Floor Amendment No. 1, ma'am.

SENATOR CROTTY:

Thank you very much. Senate Amendment No. 1 only changes some wording. Instead of it reading "suspected abuse", we'd like

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

to change that to "reports of injuries".

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you. Is there any discussion? Seeing no discussion, Senator Crotty moves the adoption of Amendment No. 1 to House Bill 398. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, on Floor Amendment No. 3, to explain the amendment, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. If I could just ask a - a procedural question. Did we adopt No. 2 or what -- what happened to 2?

PRESIDING OFFICER: (SENATOR DeLEO)

Amendment No. 2 is...

SENATOR TROTTER:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

...never made it to the Floor, sir.

SENATOR TROTTER:

Okay. I mean, I will -- I will table it. I just didn't want any -- anything procedurally to go wrong.

PRESIDING OFFICER: (SENATOR DeLEO)

It's not in the record. So, we adopted 1, now -- now 3, sir.

SENATOR TROTTER:

Okay. Thank you. Amendment No. 3 requires that the Auditor General conduct an audit and compliance examination for the year ending 12/21/04 of the Chicago Transit Authority. The audit would be over the use of all funds and monies appropriated by the General Assembly to IDOT which were distributed to RTA by means of grants, awards, State formula -- aid formulas, et cetera. Those dollars that went specifically to the CTA.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

discussion? Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Thank you. Senator, you know there's a lot of discussion going on this Session about the CTA and about money, and there's been threats of fare increases or reductions of service and whatnot, and then on a bill that's dealing really with nursing homes, all of a sudden, we see pop up an audit for the CTA and everyone kind of sits up and says, well, wait a second. Can you tell me what prompted this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

You essentially answered your own question, in that the CTA has come to us this year saying that they have some extraordinary needs and they're looking for relief down here in the General Assembly. Before we come forward with that relief -- well, we are going to give 'em that relief hopefully this time around, but before we go more forward into next year's budget, I think we need to see how they've been spending the monies that we have given them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So, Senator, it's fair to say that the audit of the CTA that's contained in this amendment then is related to what we've been hearing about, the outcry from the CTA about needing further funds. So, you're suggesting is, we're going to find out how they've done on the money for -- in -- in calendar year 2004, before we decide whether we're going to give 'em more money in addition to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No. We know that the audit will not be done before we get out of here this year. So, this is being more prospective than

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

looking at next year's budget. Hopefully that we will be able to find some revenues this year to get them out of their emergent needs. But -- so we do not - and going into '07 - be in the same posture that we are today, I think we need to have a review of how they've been spending State dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dave Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Thank -- thank you, Mr. President. Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman from Cook would be glad to answer a question, sir.

SENATOR D. SULLIVAN:

Thank you. Senator, will this be an audit of all funds within the CTA or just funds that have come from the State?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No. This audit would be very narrowly looking at just the dollars from the State. Presently, the CTA does have an outside audit which they report back to IDOT talking about, basically, their federal dollars and what they're doing, but we want to narrow it just to what our dollars are doing in alleviating their problems or -- or causing additional problems.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. As you know, Senator, there's a proposal to move paratransit funding from the CTA to Pace. Would this audit address or at least look into the current spending of paratransit money within Pace?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Will capital expenditures within the CTA be addressed in



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

this audit?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

If those capital expenditure dollars came from the State, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

One final question. Thank you, Mr. President. Do you see any correlation between this audit and any proposed fare increases at the CTA?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Hopefully, we'll find those answers out once we have the audit. Right now, I'm not supposing anything is amiss other than we just not -- we do not have a complete analysis, again, of how they've been spending our taxpayer dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Trotter moves the adoption of Floor Amendment No. 3 to House Bill 398. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Now on the Order of 3rd Reading is Senate {sic} Bill 398. Senator Crotty, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

Thank you very much. House Bill 398 clarifies the intent of the bill, which is to gather statistics concerning the incidents of attacks and injuries to certain healthcare workers and, also, an audit of the CTA.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill... Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the bill. It passed -- bill passed unanimously out of committee. I appreciate the sponsor's hard work. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall House Bill 398 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 Ayes, 0 Nays, 0 voting Present. House Bill 398, having received the required constitutional majority, is declared passed. No. Continuing on House Bills 3rd Reading is House Bill -- Senator Harmon. Out of the record. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 2133, offered by Senator Ronen.

(Secretary reads title of bill)

And House Bill 3621, offered by Senator Sieben.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate will -- will stand adjourned until the hour of 10 a.m., 10 a.m. on Wednesday -- excuse me. Ladies and Gentlemen, excuse me one second. Senator Hendon, for what purpose are you seeking recognition, sir?

SENATOR HENDON:

Very briefly, Mr. President. Thank you for your indulgence. Members of the Senate, the pictures from the softball game are back and we was passing 'em around. Some of you have some great shots sliding into home, catching, the bases, beating the heck

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

47th Legislative Day

5/24/2005

out of the House. We'd like for you to order some. The order sheets are on your desk. Make sure you see them all and order some pictures so you'll have fond memories of when you were fifty and still had it all. And the team pictures are there as -- as well. Fill out the order sheets, turn 'em in. They're very inexpensive. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies and Gentlemen, before we wrap up the -- today's agenda. Let me remind you once again that two committees are meeting immediately after this: Executive Committee and State Government. Executive Committee will meet immediately upon adjournment. So, once again, there being no further business to come before the Senate, the Senate will stand adjourned until the hour of 10 a.m. on Wednesday, May 25th, the year 2005. The Senate stands adjourned.